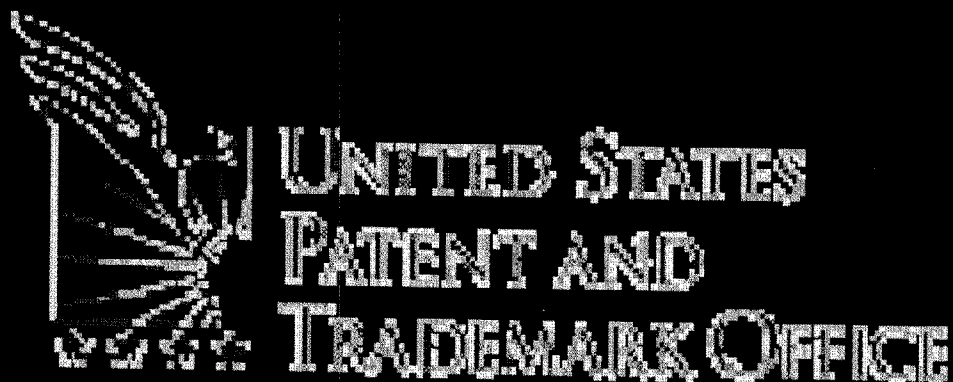


EXHIBIT 10



Proposed Reform of Continuation Practice and the use of Representative Claims

Two Rules Packages Published January 3, 2006

- Continuation practice (71 Fed Reg 48)
- Representative claims (71 Fed Reg 61)
- Town Hall meetings around the country
 - D.C. meeting (USPTO campus) April 2006
 - Comments due by May 3, 2006

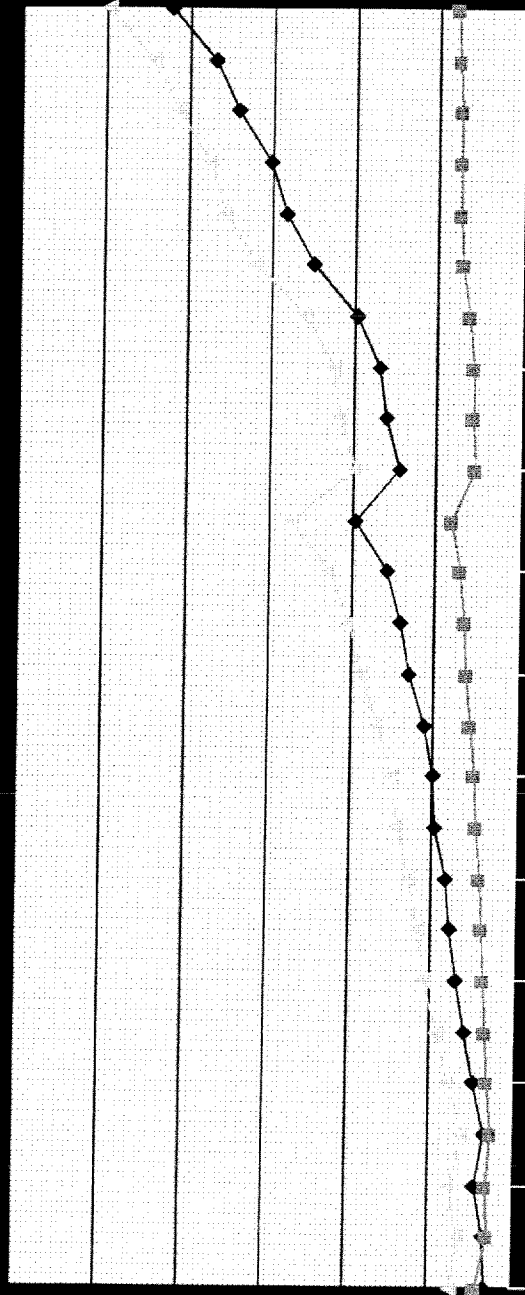
Rules Won't Significantly Impact a Large Majority of Applications

- Goal is to
 - Prevent outliers from affecting best practitioners
 - Produce more “focused” examination
- Will also help reduce backlog

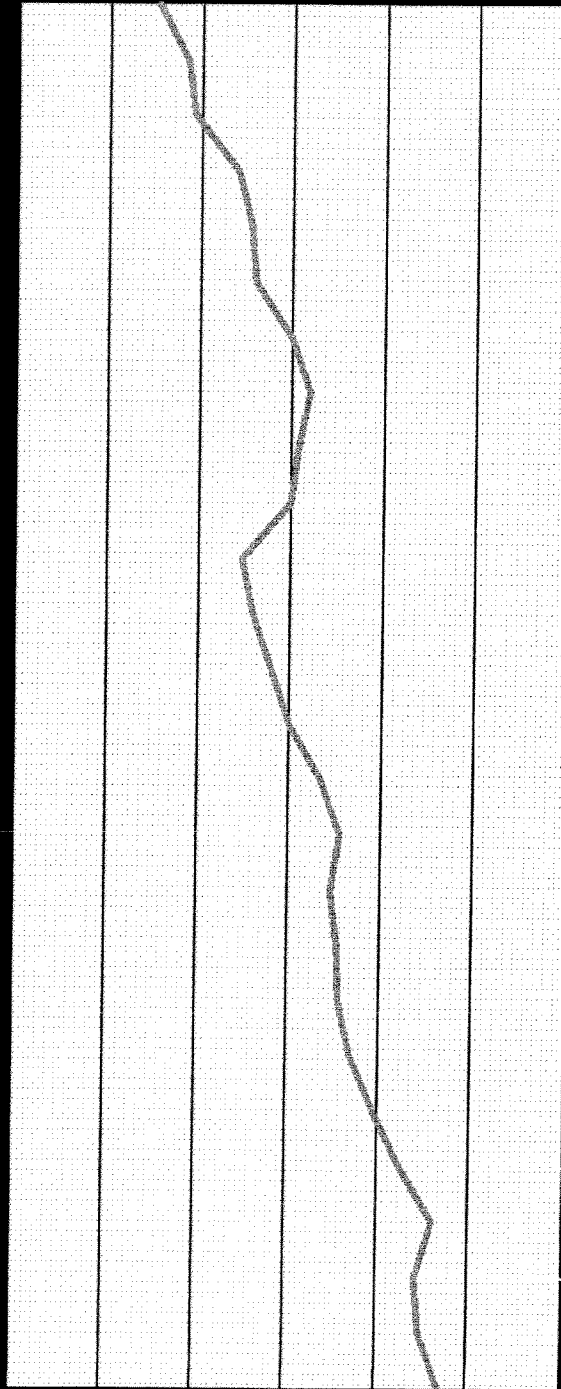
Let's Look at Some Numbers

- 317,000 applications filed in fiscal 2005
 - 44,500 were continuations/CIPs
 - 11,800 were 2nd or higher in a cont chain
- 52,000 Requests for Continued Examination
 - 10,000 were 2nd or higher RCEs in a series
- Thus 6-7% of applications (21,800/317,000) have already been through two or more complete examinations

Continuation Filing Rates



Continuation Filing Percentage



Continuation Filing Percentage

FY 05 Patent Pendency

Technology Center	Average 1 st Action Pendency (months)	Average Total Pendency (months)
1600 - Biotechnology and Organic Chemistry	23.0	32.3
1700 - Chemical and Materials Engineering		29.7
2100 - Computer Architecture Software and Information Security		43.5
2600 - Communications	30.5	42.3
2800 - Semiconductor, Electrical, Optical Systems	14.5	24.9
3600 - Transportation, Construction, Electronic Commerce	18.4	
3700 - Mechanical Engineering, Manufacturing and Products	18.3	26.3
UPR Total (as of 10/1/2005)	21.1	29.1
FY 05 Target	20.7*	31.0

¹ "Average 1st action pendency" is the average age from filing to first action for a newly filed application, completed during July-September FY 2005.

² "Average total pendency" is the average age from filing to issue or abandonment of a newly filed application, completed during July-September FY 2005.

* Assuming current input and output estimates, the agency should achieve first action pendency of 21.3 months by the end of FY 2005 and total pendency of 30.2 months.

FY 05 Patent Pendency

Technology Center	Average 1 st Action Pendency (months)	Average Total Pendency (months)
1600 - Biotechnology and Organic Chemistry	23.0	32.3
1700 - Chemical and Materials Engineering		29.7
2100 - Computer Architecture Software and Information Security		43.5
2600 - Communications	30.5	42.3
2800 - Semiconductor, Electrical, Optical Systems	14.5	24.9
3600 - Transportation, Construction, Electronic Commerce	18.4	
3700 - Mechanical Engineering, Manufacturing and Products	18.3	26.3
UPR Total (as of 10/1/2005)	21.1	29.1
FY 05 Target	20.7*	31.0

¹ "Average 1st action pendency" is the average age from filing to first action for a newly filed application, completed during July-September FY 2005.

² "Average total pendency" is the average age from filing to issue or abandonment of a newly filed application, completed during July-September FY 2005.

* Assuming current input and output estimates, the agency should achieve first action pendency of 21.3 months by the end of FY 2005 and total pendency of 30.2 months.

Technology Centers Rework*

Statistics

	FY 2002	FY 2003	FY 2004	FY 2005
TC Summary	% FAOM Rework	% FAOM Rework	% FAOM Rework	% FAOM Rework
1600	36.4%	39.7%	40.3%	42.4%
1700	25.2%	26.9%	27.1%	28.0%
2100	23.9%	24.0%	24.6%	28.2%
2600	24.8%	24.1%	24.3%	25.4%
2800	19.1%	22.0%	24.9%	24.1%
3600	17.7%	21.2%	23.1%	28.5%
3700	22.2%	25.1%	24.0%	28.1%
UPR	23.2%	25.3%	26.1%	28.3%

* Rework first actions are those actions that are in a Continuing (CONs and CIPs), RCE, CPA or 129(a) applications (excludes Divisionals).

1. Set reasonable limits on continuation practice

- One continuation or RCE as of right
- For 2nd and subsequent continuations
 - Petition and show why it is needed “to obtain consideration of an amendment, argument, or evidence that could not have been submitted” earlier in series
- No first action finals (4 bites at the apple)
- Office-ordered divisionals (i.e. restricted cases) treated as separate applications

1. Limits on continuation practice --cont'd

- No voluntary divisionals
 - Presumption of double patenting when two applications
 - Filed same day
 - Same assignee
 - Common inventors
 - Substantial overlap in disclosure
 - Rebut presumption by showing that claims are patentably distinct

Effective Date

- Effective Date of Final Rule

- Continuation limits apply to any application filed on or after the effective date of the final rule (not yet determined)
- Thus a continuation application or RCE filed after the effective date would have to comply with these rules

Alternative: Appeal